Civil Misc. Writ Petition No. 26703 of 1990
(No. 491 (S/S) of 2001)

Ram Singh Parihar ……Petitioner

Versus

The Collector, Almora ……Respondent.

Hon'ble P.C. Verma, J.

This writ petition was filed by the petitioner in the year 1990, challenging the reversion order dated 29.08.1990, contained in Annexure- 3 to the writ petition. High Court at Allahabad, while entertaining the writ petition, passed the following interim order dated 07.2.1991.

"The petitioner who has initially been appointed as Patwari in the year 1964-65 and has been promoted as Assistant Registrar Kanoongo with effect from 16.2.1972, was by an order dated 15.2.1989 promoted as Registrar Kanoongo on regular basis. This order having been passed by the Zila Adhikari, Almora. He has, thereafter, been transferred under annual chain of transfer by order dated 20.06.1990. The order under challenge in the petition is a subsequent order dated 29.8.1990 purporting to revert him to his earlier post. As if he had been appointed as an acting Registrar Kanoongo, no counter affidavit has been filed in this case though by an order dated 25.10.1990 six weeks' time was given for the purpose. Mr. Malviya appearing for the respondent has sought further time to enable the respondent to file counter affidavit.

The petition is adjourned to 6.3.1991 to be listed for admission on that date.

In the meantime it is only appropriate, however, that pending admission the operation of the reversion order dated 29.8.1990, copy where of is annexed as Annexure-3 to the writ petition be stayed and the same is so stayed."

In terms of the aforesaid interim order, the petitioner has completed his service as Registrar Kanoongo and has superannuated. No case was taken by the erstwhile state of Uttar Pradesh to seek the vacation of the interim order. Therefore, the order dated 29.8.1990 is quashed. The petitioner shall be entitled for all other benefits of the post of Registrar Kanoongo. If available to them, in accordance with law.

The writ petition is disposed of accordingly.

Sd/-

23.06.2001
P.Singh